

04-15-04

PTO/SB/21 (08-00)

Approved for use through 10/31/2002

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction act of 1995, no persona are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM		Application Number		10/751,183			
(to be used for all correspondence after initial filing)		Filing Date		February 18, 2004			
		First Named Inventor		Mike Nipke			
		Group Art Unit		Not Yet Assigned			
		Examiner Name		Not Yet Assigned			
Total Number of Pages in This Submission		4		Attorney Docket Number		14335US02	
ENCLOSURES (check all that apply)							
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO 1449/08A with no references <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) (sheets) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD Number of CD(s) _____		<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below):			
Remarks							
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT							
Firm or Individual Name		McAndrews Held & Malloy, Ltd.					
Name (Print/type)		Joseph M. Barich		Registration No. (Attorney/Agent)		42,291	
Signature						Date: April 14, 2004	
EXPRESS MAIL DEPOSIT							
"Express Mail" mailing label number : EV 331532886US Date of Deposit April 14, 2004.							



UNITED STATES PATENT AND TRADEMARK OFFICE
(Docket No. 14335US02)

In the Application of:

Mike Nipke

Serial No.: 10/751,183

Filed: February 18, 2004

For: POWERED PATIO POLE
UMBRELLA

Examiner: Not Yet Assigned

Group Art Unit: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT

Mail Stop DD
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97-1.98 and in compliance with the duty of disclosure set forth in 37 C.F.R. § 1.56, it is respectfully requested that the following references be considered in the examination of the above-identified patent application:

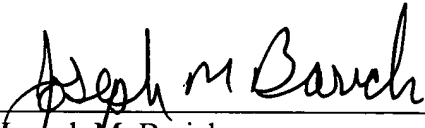
<u>U.S. Pat. No.</u>	<u>Date</u>	<u>Name</u>
2,087,537	07/20/1937	Finkel
4,174,532	11/13/1979	Kelley
5,053,931	10/01/1991	Rushing
5,331,524	07/19/1994	Tseng
5,463,535	10/31/1995	Vest
5,769,000	06/23/1998	Dunfey
6,017,188	01/25/2000	Benton
6,323,431	11/27/2001	Lin

6,612,713	09/02/2003	Kuelbs
6,659,616	12/09/2003	Bilotti
6,668,845	12/30/2003	Lin et al.

The above-identified references are listed on the attached PTO Form 1449. This submission is in no way intended as an admission that the above-cited reference constitutes prior art. Applicant expressly retains the right to take any actions necessary to remove the above-cited references from the available prior art. Consideration of the above-identified references in the examination of the present patent application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees that may be required or credit any overpayment to Account No. 13-0017.

Respectfully submitted,

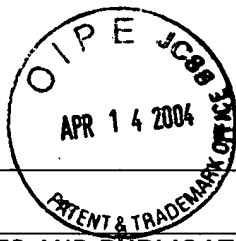


Joseph M. Barich
Registration No. 42,291
Attorney for Applicant

April 14, 2004
Date

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, Illinois 60661

Telephone: (312) 775-8000
Facsimile: (312) 775-8100



FORM PTO-1449	SERIAL NO. 10/751,183	CASE NO. 14335US02
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE February 18, 2004	GROUP ART UNIT Not Yet Assigned
(use several sheets if necessary)		APPLICANT(S): Mike Nipke

REFERENCE DESIGNATION

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS/ SUBCLASS	FILING DATE
	A1	2,087,537	07/20/1937	Finkel		
	A2	4,174,532	11/13/1979	Kelley		
	A3	5,053,931	10/01/1991	Rushing		
	A4	5,331,524	07/19/1994	Tseng		
	A5	5,463,535	10/31/1995	Vest		
	A6	5,769,000	06/23/1998	Dunfey		
	A7	6,017,188	01/25/2000	Benton		
	A8	6,323,431	11/27/2001	Lin		
	A9	6,612,713	09/02/2003	Kuelbs		
	A10	6,659,616	12/09/2003	Bilotti		
	A11	6,668,845	12/30/2003	Lin et al.		
	A12					
	A13					

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS/ SUBCLASS	TRANSLATION YES	NO
	A14						
	A15						
	A16						
	A17						
	A18						

EXAMINER INITIAL	OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)	
	A19	
	A20	
	A21	
	A22	
	A23	
	A24	

EXAMINER	DATE CONSIDERED
----------	-----------------

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.